

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1075
93RD GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, May 5, 2006, with recommendation that the Senate Committee Substitute do pass.

3426S.12C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to school course materials.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 170.015, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 170.015, to read as follows:

170.015. 1. Any course materials and instruction relating to human
2 sexuality and sexually transmitted diseases shall be medically and factually
3 accurate and shall:

4 (1) Present abstinence from sexual activity as the preferred choice of
5 behavior in relation to all sexual activity for unmarried pupils because it is the
6 only method that is one hundred percent effective in preventing pregnancy,
7 sexually transmitted diseases and the emotional trauma associated with
8 adolescent sexual activity, and advise students that teenage sexual activity places
9 them at a higher risk of dropping out of school because of the consequences of
10 sexually transmitted diseases and unplanned pregnancy;

11 (2) Stress that sexually transmitted diseases are serious, possible, health
12 hazards of sexual activity. Pupils shall be provided with the latest medical
13 information regarding exposure to human immunodeficiency virus, acquired
14 immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other
15 sexually transmitted diseases;

16 (3) Present students with the latest medically factual information
17 regarding both the possible side effects and health benefits of [all forms of]

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 contraception, including the success and failure rates for the prevention of
19 pregnancy and sexually transmitted diseases **and further information may be**
20 **available from their previously designated family practitioner under**
21 **section 167.611, RSMo;**

22 (4) Include a discussion of the possible emotional and psychological
23 consequences of preadolescent and adolescent sexual activity and the
24 consequences of adolescent pregnancy, as well as the advantages of adoption,
25 including the adoption of special needs children, and the processes involved in
26 making an adoption plan;

27 (5) Teach skills of conflict management, personal responsibility and
28 positive self-esteem through discussion and role-playing at appropriate grade
29 levels to emphasize that the pupil has the power to control personal
30 behavior. Pupils shall be encouraged to base their actions on reasoning,
31 self-discipline, sense of responsibility, self-control, and ethical considerations,
32 such as respect for one's self and others. Pupils shall be taught not to make
33 unwanted physical and verbal sexual advances or otherwise exploit another
34 person. Pupils shall be taught to resist unwanted sexual advances and other
35 negative peer pressure;

36 (6) Advise pupils of the laws pertaining to their financial responsibility
37 to children born in and out of wedlock and advise pupils of the provisions of
38 chapter 566, RSMo, pertaining to statutory rape.

39 2. Policies concerning referrals and parental notification regarding
40 contraception shall be determined by local school boards **or charter schools**,
41 consistent with the provisions of section 167.611, RSMo.

42 3. A school district **or charter school** which provides human sexuality
43 instruction may separate students according to gender for instructional purposes.

44 4. The board of a school district **or charter school** shall determine the
45 specific content of the district's **or school's** instruction in human sexuality, in
46 accordance with subsections 1 to 3 of this section, and shall ensure that all
47 instruction in human sexuality is appropriate to the age of the students receiving
48 such instruction.

49 5. A school district **or charter school** shall notify the parent or legal
50 guardian of each student enrolled in the district **or school** of:

51 (1) The basic content of the district's **or school's** human sexuality
52 instruction to be provided to the student; and

53 (2) The parent's right to remove the student from any part of the district's

54 **or school's** human sexuality instruction.

55 **(3) Such notification shall be on a specific form requiring an**
56 **affirmative response, in writing, that the parent or legal guardian has**
57 **been informed of the content of the human sexuality instruction in**
58 **accordance with this section and shall provide a check off for the**
59 **parent or legal guardian to select approval or disapproval for the**
60 **student's participation.**

61 6. A school district **or charter school** shall make all curriculum
62 materials used in the district's **or school's** human sexuality instruction available
63 for public inspection pursuant to chapter 610, RSMo, **as well as provide the**
64 **names of the instructors and the instructors' affiliations to any entities**
65 **involved with human sexuality instruction, at least one week prior to the**
66 **use of such materials in actual instruction or presentation by such**
67 **instructors.**

68 7. No school district or charter school shall permit a person or
69 entity to offer, sponsor, or furnish in any manner any course materials
70 or instruction relating to human sexuality or sexually transmitted
71 diseases to its students if such person or entity is a provider of
72 abortion services.

73 8. As used in this section, the following terms mean:

74 (1) "Abortion", the same meaning as such term is defined in
75 section 188.015, RSMo;

76 (2) "Abortion services":

77 (a) Performing, inducing, or assisting in the performing or
78 inducing of an abortion;

79 (b) Encouraging a patient to have an abortion or referring a
80 patient for an abortion; or

81 (c) Developing or dispensing drugs, chemicals, or devices
82 intended to be used to induce an abortion that is not necessary to save
83 the life of the mother.

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